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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JAMES A. GARDIN,

12 Plaintiff,

13 v.

14 CORRECTIONAL OFFICER MAHN,

15 Defendants.
16

CASE NO. C09-5116RJB

ORDER TO SHOW CAUSE

17 This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§
18 636(b) (1) (A) and 636(b) (1) (B) and Local Magistrate Judge's Rules MJR 1, MJR 3, and MJR 4.
19 After reviewing the record, the court finds and orders as follows:

20 1. On April 28, 2009, the court reviewed the Complaint and directed the U.S. Marshal to
21 conduct service on the named defendant(s). See Doc. 5. Subsequently, on May 6, 2009,
22 defendant(s) filed a notice of appearance (Doc. 7). An answer to the Complaint has not been filed.
23 There has since been no activity in the case.
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25 2. Accordingly, plaintiff shall show cause why this matter should not be dismissed for
26 lack of prosecution **by not later than October 9, 2009.**

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2 3. The clerk is directed to send a copy of this order to plaintiff

3 DATED this 8th day of September, 2009.

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7 J. Richard Creatura
8 United States Magistrate Judge
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